

Examiner's Amendments/Comments

The claims submitted by fax on 01/12/2010 are entered and allowed.

Amendments to claims are attached herewith.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Claims 1-9, 11-17, 20-32 are allowed. The art of record does not teach or render obvious a surgical access system having a distraction assembly having at least two dilators and a primary retractor assembly including plurality of retractor blades coupled with a handle assembly and extending generally perpendicularly relative to arm portion of the handle assembly and each of the blades having concave inner face and convex exterior face, the blades abutting each other in a closed position and formed a closed perimeter which defines a lumen having an internal circumference larger than the external circumference of the larger dilator and a supplemental retractor assembly having an arm with an additional retractor blade coupled to the arm and is selectively positionable adjacent to the primary retractor assembly subsequent to moving the plurality of retractor blades into the open position such that the additional plate fills a space in the open perimeter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

The information disclosure statement filed 01/12/2010 by fax fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOGESH PATEL whose telephone number is (571)270-3646. The examiner can normally be reached on 8:00 to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cris Rodriguez can be reached on 571-272-4964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/YOGESH PATEL/

Examiner, Art Unit 3732

/Ralph A. Lewis/

Primary Examiner, Art Unit 3732